

State of Arizona
Senate
Forty-seventh Legislature
Second Regular Session
2006

SENATE BILL 1444

AN ACT

AMENDING SECTION 13-3824, ARIZONA REVISED STATUTES; AMENDING TITLE 13, CHAPTER 38, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 13-3829; RELATING TO SEX OFFENDER REGISTRATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 13-3824, Arizona Revised Statutes, is amended to
3 read:

4 13-3824. Violation; classification; assessment

5 A. A person who is subject to registration under this article and who
6 fails to comply with the requirements of this article is guilty of a class 4
7 felony. **ON CONVICTION, THE COURT MAY DO EITHER OF THE FOLLOWING:**

8 1. IF THE PERSON IS ELIGIBLE FOR PROBATION, IMPOSE A LIFE TERM OF
9 PROBATION.

10 2. SENTENCE THE PERSON TO IMPRISONMENT FOR NOT LESS THAN THE
11 PRESUMPTIVE SENTENCE AUTHORIZED BY LAW. IF THE COURT SENTENCED THE PERSON TO
12 A PRESUMPTIVE TERM OF IMPRISONMENT, THE PERSON IS NOT ELIGIBLE FOR SUSPENSION
13 OR COMMUTATION OF SENTENCE OR RELEASE ON ANY BASIS UNTIL THE SENTENCE IMPOSED
14 IS SERVED. THE SENTENCE SHALL RUN CONSECUTIVELY TO ANY OTHER SENTENCE
15 IMPOSED ON THE DEFENDANT AND TO ANY UNDISCHARGED TERM OF IMPRISONMENT OF THE
16 DEFENDANT.

17 B. Notwithstanding subsection A of this section, a person who fails to
18 comply with section 13-3821, subsection I is guilty of a class 1 misdemeanor
19 and, in addition to any other penalty prescribed by law, the court shall
20 order the person to pay an additional assessment of two hundred fifty
21 dollars. This assessment is not subject to any surcharge. The court shall
22 transmit the monies received pursuant to this subsection to the county
23 treasurer. The county treasurer shall transmit the monies received to the
24 state treasurer. The state treasurer shall deposit the monies received in
25 the sex offender monitoring fund established by section 13-3828.
26 Notwithstanding any other law, the court shall not waive the assessment
27 imposed pursuant to this subsection.

28 Sec. 2. Title 13, chapter 38, article 3, Arizona Revised Statutes, is
29 amended by adding section 13-3829, to read:

30 13-3829. Sex offender monitoring by qualified vendors

31 THE DEPARTMENT OF PUBLIC SAFETY MAY ENTER INTO CONTRACTS WITH QUALIFIED
32 VENDORS TO PROVIDE A DATA MONITORING AND ALERT SYSTEM FOR PERSONS WHO ARE
33 REQUIRED TO REGISTER PURSUANT TO SECTION 13-3821. THE QUALIFIED VENDOR SHALL
34 MONITOR THE MOVEMENT OF REGISTERED OFFENDERS AND THE RESIDENCE AND ADDRESS
35 CHANGES OF OFFENDERS THROUGH PUBLIC RECORDS OR OTHER RECORD INFORMATION
36 SOURCES. THE QUALIFIED VENDOR SHALL NOTIFY THE DEPARTMENT OF PUBLIC SAFETY
37 OR OTHER DESIGNATED LAW ENFORCEMENT AGENCIES IF A REGISTERED OFFENDER DOES
38 ANY OF THE FOLLOWING:

39 1. MOVES FROM ANOTHER JURISDICTION TO A RESIDENCE OR ADDRESS IN THIS
40 STATE.

41 2. MOVES FROM A RESIDENCE OR ADDRESS IN THIS STATE TO A RESIDENCE OR
42 ADDRESS IN ANOTHER JURISDICTION.

43 3. MOVES FROM A RESIDENCE OR ADDRESS IN THIS STATE TO ANOTHER
44 RESIDENCE OR ADDRESS WITHIN THIS STATE.